

Aquatic Invasive Species Advisory Council
September 27, 2012
Minutes

Council Member Updates

Sarah LeSage:

- The United States Fish and Wildlife Service awarded an additional \$111,000 of Great Lakes Restoration Initiative funds to Michigan. This money will be used to support response efforts in Lake Erie following the positive eDNA detections.

Tom Goniea:

- A [press release](#) issued by the Department of Natural Resources (DNR) reported Asian carp environmental DNA (eDNA) has been detected in 3 of 350 water samples collected from western Lake Erie's Maumee Bay and Maumee River between July 31 and August 4. The three samples, all positive for silver carp eDNA, were found in Maumee Bay - two in Michigan waters and one in Ohio waters. Physical sampling continues in Ohio. Michigan will continue to work with the Ohio Department of Natural Resources, the U.S. Fish and Wildlife Service, and the U.S. Army Corps of Engineers (USACE).

Phyllis Green:

- Phyllis plans to travel to Singapore to attend the IMO Ballast Water Conference to present emergency ballast water treatment efforts that the National Park Service is working on. The National Park Service is also working on eradication efforts for zebra mussels on Isle Royale.

Bob Reichel:

- The individual arrested for selling grass carp has been prosecuted. The individual plead guilty. Sentencing is scheduled for November 1, 2012.

Roger Eberhardt:

- The International Joint Commission (IJC) held a Binational Rapid Response meeting. The IJC will host a table top exercise, which will include relevant agencies.
- The United States and Canada signed a new Great Lakes Water Quality Agreement (GLWQA) that includes an aquatic invasive species (AIS) annex. Teams will be set up to address each of the issues in the GLWQA.

Joel Brammeier:

- Written testimony opposing Senate Bill 1212 was submitted.
- Joel attended Great Lakes Week in Cleveland, Ohio, where a significant amount of time was spent talking about Asian carp.

- Work is in process to develop a coalition of businesses in Illinois that are supportive of updating Chicago's infrastructure and physical separation. This group is called "[Healthy Water Solutions](#)."

Tim Eder:

- Work continues to advance engineering and economic solutions to physically separate at the Chicago Area Waterways System. The Great Lakes Commission (GLC) is retaining technical support to look at interim solutions while moving forward with physical separation; e.g., treating locks to make them AIS proof.
- Congress is requiring the USACE to speed up the Great Lakes and Mississippi River Interbasin Study (GLMRIS) and the USACE is required to issue a report on their approach in early October. The GLC is eager about expedition on GLMRIS but the USACE needs to take it seriously.
- The GLC will receive Great Lakes Restoration Initiative (GLRI) funding to build Web crawling technology to look at AIS trade on the Internet. The grant project output will also provide sellers with information and education.

Li Wang:

- The GLWQA was renewed at the Binational Rapid Response meeting. The GLWQA includes ten annexes; two are new – AIS and climate change. The IJC will have strong input but work groups will have strong government input.

Todd Losee:

- Distributed an e-mail from Bernd Blossey, Cornell University, regarding the status of biocontrol development for invasive Phragmites. In the meantime, the state is recommending the proper use of glyphosate as a means of chemical control. The draft prioritization tool is on the AIS Web site for your reference.

Patty Birkholz:

- There is an issue in Saugatuck with the application of herbicide causing nontarget effects.
- Great Lakes Week brings everyone together to maximize travel and discuss important issues. It was a successful week.
- The Asian Carp Regional Coordinating Committee met and reviewed all GLRI proposals to take an overarching look at the Asian carp related projects. We need to make sure we are spending money wisely.

Council Discussion on Legislative Bills

The Council discussed the roll of the Council in providing advice on bills. There are several bills in the Michigan House and Senate Committees related to activities given to the Council. Proposed legislation that would make a substantial change in how the Council's advice would be implemented. The Council could outline the opportunities and challenges in its recommendations. Someone needs to represent the Council in testimony vs. written information. Any comments need to be within the boundaries of

what's been asked of the Council. There was general agreement that the Council should not take a position, but where it directly affects something, speak up and let the Legislature know the Council is working on it. Any comments must be related to the charge we have.

Senate Bill 1235

Trevor VanDyke, DNR, gave a presentation on Senate Bill 1235. This bill's target is related to feral swine; however, there are broader implications. The DNR has taken the position that they are opposed. Discussion of this bill was taken off committee agenda for this morning. The bill adds the definition of "livestock" and definition of "native to the state." There are still some issues that need to be worked out in definitions and discussions are ongoing. The bill strikes provisions in the current process in amending the lists of prohibited/restricted species. Basically, the DNR and the Natural Resources Commission authority is removed and changes would be made by the Legislature.

There are two issues related to AIS council tasks: definition of AIS and harmonizing federal and state law. There are also implications for the use of the risk assessment process. The Council should remind the Legislature that they asked us to look at the process through a letter to bill sponsors. All bills expire at end of year and there are a limited number of session days left. Bills would need to be reintroduced January 1. Any letter submitted by the Council would not replace DNR's or other group's positions. The council's existing recommendations and ongoing work would be relevant and we want them to be aware. It may be wise to submit prior to October 17, 2012, which is the next possible session day. We could do this electronically. Tim Eder volunteered to help draft this letter. We need to reiterate that the council includes a variety of stakeholders, include a list of who is on the Council, and how they were appointed. It needs to be clear that this letter is not a Department of Environmental Quality (DEQ) product.

NOTE: As of the drafting of these minutes, this letter has been drafted but not finalized and sent to the Legislature because the bill was not taken up in Committee on October 17, 2012. The draft is being sent to the Council for review.

Phragmites Strategic Framework

Heather Braun, Great Lakes Commission, gave a presentation on the Phragmites Strategic Framework. The project is funded through the Michigan Coastal Management Program, and includes a task force made up of various agencies. The project consisted of organizing a symposium, developing a survey of stakeholders, and supporting the development of a statewide Phragmites strategy. Heather's presentation focused on the framework portion of the project, including the goals, objectives, status, and next steps. The Framework is available on the Great Lakes Commission's Web page.

Potential Impacts of Glyphosate

Dennis Bush, Chief, Water Toxics Unit (WTU), Water Resources Division, DEQ, gave a presentation on the potential impacts of Glyphosate. The WTU is responsible for the review of various chemicals to assess their environmental fate, human toxicity, and aquatic toxicity. The requests for the review of Glyphosate come from the WRD's

Aquatic Nuisance Control Program staff to determine Glyphosate's effect on surface waters. These requests are in follow-up to a request from a potential permittee to use the chemical to control nuisance weeds. Glyphosate works as a pathway to plants and is not harmful to humans. Glyphosate itself is minimally toxic, but the addition of other surfactants can make it very toxic.

AIS Funding Update

Sarah Lesage gave an update on AIS funding. The Council is charged with making recommendations following the final State Management Plan and recommendations on funding for organisms in trade. The AIS core team had a discussion on this issue and notes are being compiled for the Council's consideration. This issue will be included on a future agenda.

House Bill 5784 Update

Steve Halstead, Department of Agriculture and Rural Development (DARD), gave an update on House Bill 5784, which amends Public Act 284 of 1937, Livestock Dealers, which is an act to prevent the spread of infectious and contagious diseases of livestock. Some amendments to the bill include:

- Adding the term "aquaculture species" to include aquatic animal organisms, such as fish, crustaceans, mollusks, reptiles, or amphibians that are reared or cultured under controlled conditions for commercial aquaculture or the pet trade, but does not include aquatic animal organisms under the authority of the DNR.
- Adding the term "livestock trucker" to mean a person not otherwise licensed under the act that engages in the business of transporting livestock not owned by the person, or the person's employer, from one premises to another.
- Adds a provision to waive a fee if the individual responsible for paying the fee is an honorably discharged veteran of the armed forces of the United States.

Habitattitude in Michigan

Chuck Pistis, Michigan Sean Grant, gave a presentation on Habitattitude. Habitattitude is a national education campaign launched in 2004. There are currently 30 states that distribute educational material. Information on Habitattitude can be found at: www.habitattitude.net.

Jane Herbert, Michigan State University Extension, gave a presentation on the education effort for water gardens. GLRI grant funds are being used for a two-year project to develop collaboration to implement Habitattitude in Michigan. Some activities include "Michiganize" existing Minnesota Habitattitude products and publications; host displays; conduct workshops; conduct presentations at Michigan Nursery and Landscape Association regional meetings; publish articles; develop Web-based training, and develop presentations.

Organisms in Trade (OIT) Industry Panel – Preparation for October Meeting:

Proposed Panel Members:

Amy Frankmann, Michigan Nursery and Landscape Association
Rick Preuss, Preuss Pets
Scott Hardin, Pet Industry Joint Advisory Council
Rick Weidenhammer, Michigan Bait Wholesalers

Panel member discussion ideas: risk assessment, certification program, financial resources/collaborating with other Great Lakes states, education/outreach - what works and what's most effective, voluntary compliance program, what problems do they see in OIT, provide panel members with items from the council's charge and let panel members give their thoughts, create a very short list for the panel members (3-4 questions); ask a very broad question such as, if Michigan was to improve prevention and management of OIT, what would they recommend.

Panel members will be invited to attend the October 25, 2012, Council meeting and will be given 10 minutes to introduce themselves and talk about their OIT work/projects. Panel members will then be asked a series of questions that Todd Losee will put together based on the suggestions provided by the Council.

Bill Creal indicated that the OIT issue is mostly dealt with by DNR and DARD, rather than DEQ, and requested that someone start pulling the OIT information together. Steve Halstead offered to be part of the process.

Ballast Water

The Section 401 Certification was signed and sent to the United States Environmental Protection Agency today. A copy was sent to each Council member.

Senate Bill 1212 was introduced that modifies Part 31, Water Resources Protection, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, to address saltwater flushing. Items to address over the next five years include putting together facts for the issues raised, a list of activities and timelines that will occur, and identify critical points to accomplishing the Great Lakes solution. Bill Creal agreed to have Water Resources Division staff put this information together to share with the Council at the next meeting.

Council Business

Next meeting: October 25, 2012, Roscommon Township Hall, Houghton Lake

Doodle poll will be sent for November and December meetings.